sealaw@live.com

From:

Dave Farrell

Sent:

Friday, July 27, 2018 12:13 PM

To:

David Anderson; Richardhumphrey@richardhumphreylaw.com

Cc:

WSaturley@preti.com; JMcLoud@gunsnh.com; Liam T O'Connell; Sean O'Leary

Subject:

NLFIC and BoatU.S. v. Carman; D. R.I. Civil Case No. 17-38-WES-PAS

Attachments:

Affidavit of Allen Zou.pdf; Jim McLoud Certification.pdf; SO000001.pdf; SO000002-

SO000008.pdf; SO000009-SO000010.pdf; SO000011.pdf; SO000012.pdf

Dear Counsel:

The Shooters Outpost records deposition scheduled there for Wednesday August 1, 2018 has been cancelled. When served with the *subpoena duces tecum* yesterday, Shooters Outpost provided the requested documents, which are stamped 001 to 012.

Very truly yours,

David J. Farrell, Jr.

FARRELL SMITH LLP

Chatham and Salem, Massachusetts USA 2355 Main Street, P.O. Box 186 S. Chatham, MA 02659 508.432.2121 x 15 Office 508.237.2402 Cell 24/7 www.FarrellSmith.com

AFFIDAVIT OF ALLEN ZOU

I, Allen Zou, being duly sworn, say as follows:

- 1. I am over 18 years of age, and am competent to testify to the matters addressed in this affidavit.
 - 2. This affidavit is based upon my personal knowledge.
- 3! I am a legal administrative assistant with the law firm of Preti, Flaherty, Beliveau & Pachios, PLLP ("Preti Flaherty").
 - 4. On July 26, 2018, I served a subpoena on Shooters Outpost.
- 5. In return, I received documents from Shooters Outpost. I received these documents in hand. They were then hand-scanned, stored in PDF format to facilitate the application of Bates numbers, Bates numbers were applied, and the documents placed on the firm's P Drive.
- 6. All of the documents I received fall within the range of the following Bates numbers: SO000001-SO000012.
- 7. On July 26, 2018, Preti Flaherty provided copies of the Shooters Outpost documents to Attorney David Farrell of Farrell Smith LLP by email communication.

Date

Allen Zou

STATE OF NEW HAMPSHIRE COUNTY OF MERRIMACK

Subscribed before me this 26th day of July 2018 by Allen Zou.

Belipro me,

Notary Public/Justice of the Peace

My Commission Expires:

Tammy Worthen, Notary Public My Commission Expires May 8, 2019

Page 1 of 1 13257689.1

CERTIFICATION

I certify the attached documents are true and correct copies of all records maintained by Shooters Outpost pertaining to Nathan Carman, in compliance with the District of Rhode Island Civil Action No. 17-38-WES-PAS subpoena served on us July 26, 2018.

I verify and declare under the pain and penalty of perjury of the laws of the United States of America pursuant to 28 U.S.C. § 1746 that the foregoing is true and corregt.

July 26, 2018

Jim McLoud Shooters Outpost 1158 Hookset Road Hookset, NH 03106 (603) 232-6125 **Shooters Outpost** 1158 Hooksett Rd Hooksett, NH 03106 Phone: (603) 232-6125 shootersoutpost@gmail.com

INVOICE

R 73929 11	/11/2013 888	5 1 of 1
	ICEDATE FORM	4473 PAGE

COMPANY:

Shooters Outpost

1158 Hooksett

Hooksett, NH 03106 Phone: (603) 232-6125

VEND OR:

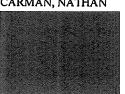
BILL TO:

CARMAN, NATHAN



SHIP TO: 12243

CARMAN, NATHAN



CUSTOMER#	ORE	ER#	ORDER D	ATE	P.O.#	EMP	SHIP VIA	SHIP DATE	TERMS	REG	Di	ıw Us	SR
12243	73	929	11/11/20	13						1		1	(II de Caracita de
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Sub Total:

2,193.94

Total This Invoice:

2,193.94

---------------Change Due:

6.06

Payments

Туре	Date	Amount
Cash:	11/11/2013	\$2.193.94
VOID:	11/11/2013	\$0.00

SO00001

pt ***

Shooters Outpost 1158 Hooksett Rd Hooksett NH 03106 '603) 232-6125

11/11/2013 Usr:
Ticket #: 73929 Reg: 1
Customer #: 12243 Drw: 1
Name: CARMAN, NATHAN

Salesperson:

ITEM/UNIT/SER QTY. PRICE	EXT.
R716-16B-P 1 2099.99 SIG SAUER 716 PATROL 308 QUADRAIL, MAGPUL FURNITURE	2099.99
22C012970 K207 1 22.99	22.99
KLEEN BORE 30/7.62	
RIFLE ULLAWING KIT 24015 1 19.99	19.99
HOPPE'S BORE SNAKE RIFLE CLEAN .308, 30-30, 300 CALIBER	
XM80C 3 16.99	50.97
FEDERAL 7.62X51MM 149GR FMJ 20	
Calan Amount	2193.94
Sales Amount:	2130.34

Sales Tax: 0.00
Total: 2193.94
Payment Received: 2200.00
Change Due: 6.06
AR Balance: .00

0

Discounts/Misc. Charges:

Payments:

Payment History

Cash : 11/11/2013 2193.94 VOID : 11/11/2013 0.00

ALL ammunition, reloading, and firearm sales are FINAL.

Firearms are subject to MFG warranty \$0000002

All other purchases must be returned within 10 days, in new condition with packaging & receipt to receive original form of payment refund. After day 10 up

k. Are you an alien illegally in the United States? Yes Are you an alien admitted to the United States under a nonimmigrant visa? (See Instructions for Question 11.1.) If you answered Yes "no" to this question, do NOT respond to question 12 and proceed to question 13. 12. If you are an alien admitted to the United States under a nonimmigrant visa, do you fall within any of the exceptions set forth in the M_o instructions? (If "yes," the licensee must complete question 20c.) (See Instructions for Question 12.) If question 11.1. is answered with a "no" response, then do NOT respond to question 12 and proceed to question 13. 13. What is your State of residence 14. What is your country of citizenship? (List/check more than 15. If you are not a citizen of the United States. one, if applicable. If you are a citizen of the United States, (if any)? (See Instructions for what is your U.S.-issued alien number or admission number? SO000003 Question 13.) proceed to question 16.) United States of America Other (Specify) Transferee (Buyer) Continue to Next Page ATF Form 4473 (5300.9) Part 1 Note: Previous Editions Are Obsolete Revised April 2012 STAPLE IF PAGES BECOME SEPARATED Page 1 of 6

Transferor (Seller) Continue to Next Page STAPLE IF PAGES BECOME SEPARATED

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	Section D - M	ust Be Completed By T	ransferor (Seller)	eli-v ^{la} therin-videni elektristi. Waanneen ma <u>anneen grapheelektrissen k</u>	*
26. Manufacturer and/or Importer (If the manufacturer and importer are different, the FFL should include both.)	27. Model	29 Serial N	Number	29. Type (pistol, revolver, rifle, shotgun, receiver, frame, etc.) (See instructions for question 29)	G
SI'N SAVER	554716	230013970		face	7.6
		643			
			To		
		and the second section of the second	,	·	
30a. Total Number of Firearms (Please ha	undwrite by printing	e.g., one, two, three, etc. L	o not use numerals.)	30b. Is any part of this Pawn Redemption?	transa
30c. For Use by FFL (See Instructions for					
		iple Purchases of Hand			
31. Trade/corporate name and address of used.) Shooters	transferor (seller) Outpost I		three and last five of the thick the		XX-XX
1158 H	ooksett R	d	6020)13075J018	311
Hookset	t. NH 031	06			
The Person Transferring	The Firearm(s)	Must Complete Question pleted Section B Must (ns 33-36. For Denie	d/Cancelled Transactio 33-35	ns,
I certify that my answers in Sections B a	nd D are true, corre	ect, and complete. I have	read and understand	the Notices, Instructions,	and D

on ATF Form 4473. On the basis of: (1) the statements in Section A (and Section C if the transfer does not occur on the day Section A was pleted); (2) my verification of the identification noted in question 20a (and my reverification at the time of transfer if the transfer does not on day Section A was completed); and (3) the information in the current State Laws and Published Ordinances, it is my belief that it is not unla me to sell, deliver, transport, or otherwise dispose of the firearm(s) listed on this form to the person identified in Section A.

Transferor's/Seller's Name (Please print) 34. Transferor's/Seller's Signature

35. Transferor's/Seller's Title

NOTICES, INSTRUCTIONS AND DEFINITION

Purpose of the Form: The information and certification on this form are designed so that a person licensed under 18 U.S.C. § 923 may determine if he or she may lawfully sell or deliver a firearm to the person identified in Section A, and to alert the buyer of certain restrictions on the receipt and possession of firearms. This form should only be used for sales or transfers where the seller is licensed under 18 U.S.C. § 923. The seller of a firearm must determine the lawfulness of the transaction and maintain proper records of the transaction. Consequently, the seller must be familiar with the provisions of 18 U.S.C. §§ 921-931 and the regulations in 27 CFR Part 478. In determining the lawfulness of the sale or delivery of a long gun (rifle or shotgun) to a resident of another State, the seller is presumed to know the applicable State laws and published ordinances in both the seller's State and the buyer's State.

After the seller has completed the firearms transaction, he or she must make the completed, original ATF Form 4473 (which includes the Notices, General Instructions, and Definitions), and any supporting documents, part of his or her permanent records. Such Forms 4473 must be retained for at least 20 years. Filing may be chronological (by date), alphabetical (by name), or numerical (by transaction serial number), as long as all of the seller's completed Forms 4473 are filed in the same manner. FORMS 4473 FOR DENIED/CANCELLED TRANSFERS MUST BE RETAINED: If the transfer of a firearm is denied/cancelled by NICS, or if for any other reason the transfer is not complete after a NICS check is initiated, the licensee must retain the ATF Form 4473 in his or her records for at least 5 years. Forms 4473 with respect to which a sale, delivery, or transfer did not take place shall be separately retained in alphabetical (by name) or chronological (by date of transferee's certification) order.

If you or the buyer discover that an ATF Form 4473 is incomplete or in completed after the firearm has been transferred, and you or the buyer make a record of your discovery, then photocopy the inaccurate form: any necessary additions or revisions to the photocopy. You only shou changes to Sections B and D. The buyer should only make changes to and C. Whoever made the changes should initial and date the changes corrected photocopy should be attached to the original Form 4473 and part of your permanent records.

Over-the-Counter Transaction: The sale or other disposition of a fu seller to a duyer, at the seller's licensed premises. This includes the se disposition of a rifle or shotgun to a nonresident buyer on such premis

State Laws and Published Ordinances: The publication (ATF P.53) State firearms laws and local ordinances ATF distributes to licensees.

Exportation of Firearms: The State or Commerce Departments may to obtain a license prior to export.

Section A

Question . Transferee's Full Name: The buyer must personally co Section A of this form and certify (sign) that the answers are true, col complete. However, if the buyer is unable to read and/or write, the a (other than the signature) may be completed by another person, excl seller. Two persons (other than the seller) must then sign as witnesse buyer's answers and signature.

When the buyer of a firearm is a corporation, company, association, or other such business entity, an officer asthorous act on behalf c

ATF Form 4473 (5300. Revised April 2012

Question 11.1. An a visa includes, among business or pleasure, 1 residence abroad, and NOT include perman aliens admitted to the Program or to regulat

An alien admitted to t responds "yes" to que indicating whether he

Question 12, Exception admitted to the United from purchasing, recei possession of a hunting Government, a State, o recognized by the Bure was admitted to the Un has received a waiver in United States; (4) is an accredited to the United international organization en route to or from anot official of a foreign gove been so designated by th enforcement officer of a States on official law end

Persons subject to one of 11.1. and 12 and provide or letter granting the wait (buyer) answered "yes" to

The seller should verify si and must attach a copy of Firearms Transaction Reco

Question 13. State of Res An individual resides in a lintention of making a hom Armed Forces on active du which his or her permanen

If you are a U.S. citizen win current residence address in firearm while staying at you address in State X in respon

Question 16. Certification 18 U.S.C. § 922 (a)(1), it is dealing in firearms without a dealing in firearms if he or s firearms as a regular course o livelihood and profit through license is not required of a payon the firearms, or purchases of ficollection or for a hobby, or veollection of firearms.

Section B

Question 18. Type of Firearm(s): Check all boxes that apply. "Other" refers to frames, receivers and other firearms that are not either handguns or long guns (rifles or shotguns), such as firearms having a pistol grip that expel a shotgun shell, or National Firearms Act (NFA) firearms.

If a frame or receiver can only be made into a long gun (rifle or shotgun), it is still a frame or receiver not a handgun or long gun. However, they still are "firearms" by definition, and subject to the same





1(a)(3)(b). 18 ill any firearm ce a frame or 1 ig gun, is a "fi ne under the: frames or rec tols or revolv

qualifying e is authorized the location

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U.S. TSOI Inst

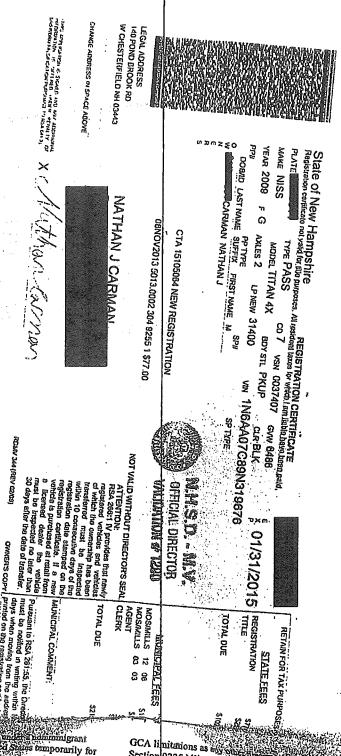
ayased unds any information that the purchaser is prohibited by law possessing or receiving a firearm. For purposes of this form, contact include contacts to State agencies designated to conduct NICS check Federal Government. WARNING: Any seller who transfers a firear person they know or have reasonable cause to believe is prohibited for possessing a firearm violates the law, even if the seller has complibackground check requirements of the Brady law.

After the buyer has completed Section A of the form and the licenset completed questions 18-20, and before transferring the firearm, the licenset NICS (read below for NICS check exceptions.) However, the should NOT contact NICS and should stop the transaction if: the

80000006

ATF Form 4473 (\$300.9), Revised April 2012

Page 5 of 6



Question 111 An visa includes, among the property of the Pulicial States and its painting part visa includes, among the pulicial States temporarily for residence abroad and expanding the Pulicial States temporarily for residence abroad and expanding the pulicial States who maintain a NOT include permanding states at all the pulicial States pursuant to either the Visa Waiver Program or to regularize States pursuant to either the Visa Waiver Program or to regularize otherwise exempting them from visa requirements.

An alien admitted to the states under a nonimmigrant visa who responds "yes" to question 111 must provide a response to question 12 indicating whether he she qualifies under an exception.

Question 12. Exceptions to the Nonliministrant Alien Response: An alien admitted to the United States under a nonliministrant visa is not prohibited from purchasing, receiving, or possessing a firearm if the alien: (1) is in possession of a hunting license of permit lawfully issued by the Federal Government, a State, or local government, or an Indian tribe federally recognized by the Bureau of Indian Affairs, which is valid and unexpired: (2) was admitted to the United States for lawful lawfill

Section 922(b)(1) makes it in the second section 921(a)(3)(b). 18 U Section 922(b)(1) makes it in the second section 921(a)(3)(b). 18 U Shotgun or rifle to any person unity to the second section 921(a)(3)(b). 18 U Shotgun or rifle to any person unity to the second section of the second section of the second section of the second section second section second section second section 921(a)(3)(a).

Question 19. Gun Shows: If sale at gun show or other qualifying event sponsored by any national, State, or local organization, as authorized by \$478.100 the seller must record the nagonal and the location (cit state) of the sale in question 19.

Question 20a. Identification: List issuing authority (e.g., State, County Municipality) and type of identification presented (e.g., Virginia driver's) (VA DL), of other valid government.



U.S. DEPARTMENT OF JUSTICE BUREAU OF ALCOHOL, TOBACCO, FIREARMS & EXPLOSIVES Boston Field Division

> Kellie L. Senecal Special Agent

Hartford Field Office 21 Oak Street, Suite 303 Hartford, CT 06106

Olfice: (860) 293-2540 Cell: (786) 232-2029 Kellie.Se pecal@atf.gov Nathan Carmen Sig \$32\$ 716 Parcol 11/11/13 Ser# 22 C@12970 73929

Dave farrell
Investigator

Spe cod

508-432-2121

ext. 15

Mertimack supera

73772 COS++122413

Case 1:17-cv-00038-WES-PAS Document 68-1 Filed 08/03/18 Page 13 of 15 PageID #: 1396

Shooters Outpost 1158 Hooksett Rd Hooksett, NH 03106 Phone: (603) 232-6125 shootersoutpost@gmail.com

INVOICE

R 73929	11/11/2013	8885	1 of 1
INVOICE NUMBER	INVOICE DATE	FORM 4473	PAGE

COMPANY:

BILL TO:

QUADRAIL, MAGPUL FURNITURE

FEDERAL 7.62X51MM 149GR FMJ 20

Shooters Outpost 1158 Hooksett Rd Hooksett, NH 03106

Phone: (603) 232-6125 CARMAN, NATHAN

Phone:

SHIP TO:

1224.	3		
		4.00	

CUSTOMER#	ORD	ER#	ORDER DATE	P.O.#	EMP	SHIPVIA	SHIP DATE	TERMS	REG	DR	w usr
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ltem #			Descript	ion		Seri	al #	NICS	Shippe	ed	Ext Price
24015	Р	HOPF CLEA	PE'S BORE SNAI N .308, 30-30, 30	KE RIFLE 00 CALIBI	ER				1		19.99
K207			N BORE 30/7.62 NING KIT	RIFLE					1		22.99
R716-16B-P	Р	SIG S	AUER 716 PATE	ROL 308	A CONTRACTOR OF STREET	22C012970			1	10000000 155	2,099.99

Sub Total:

2,193.94

50.97

Total This Invoice:

2,193.94

Change Due;

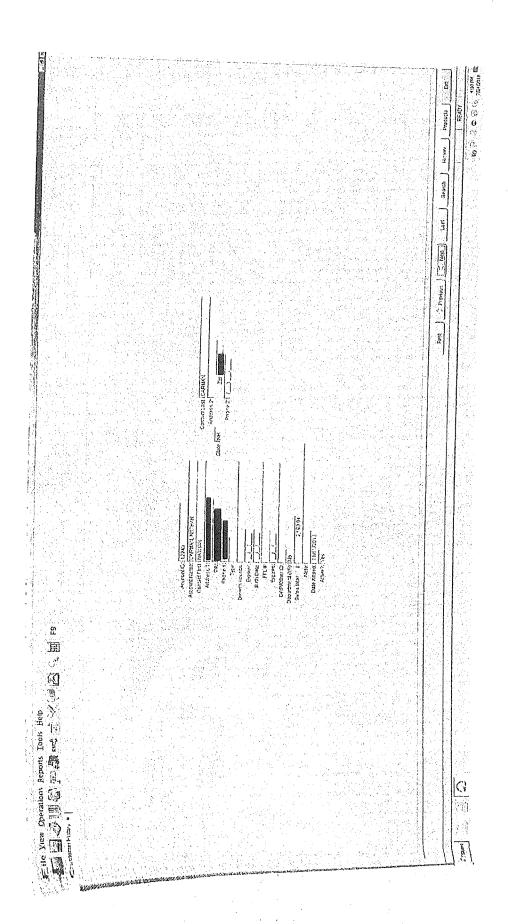
6.06

Payments

XM80C -

Туре	Date	Amount
Cash:	11/11/2013	\$2,193.94
VOID:	14/14/2013	\$0.00

SO000010



11000002

